

PROB 12C
(7/93)Report Date: ~~November 5, 2012~~
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States District Court

for the

NOV 05 2012

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Steven Ernesto Perales

Case Number: 2:10CR02103-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Chief U. S. District Judge

Date of Original Sentence: 5/23/2011

Original Offense: Possession of Body Armor by Violent Felon, 18 U.S.C. § 931(a)(1)

Original Sentence: Prison - 366 days;
TSR - 12 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: 9/12/2012

Defense Attorney: Diane E. Hehir

Date Supervision Expires: 5/11/2013

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1

Mandatory Condition #2: The defendant shall not commit another Federal, state, or local crime.**Supporting Evidence:** On October 31, 2012, Steven Ernesto Perales was arrested for third degree malicious mischief and fourth degree assault, Yakima County District Court case number 41058. An incident report has been requested but has not yet been received.

The defendant appeared in court on November 1, 2012, and bail was set at \$1,500. His next hearing is scheduled for November 15, 2012. Mr. Perales remains detained at the Yakima County Jail.

According to the defendant's mother, Mr. Perales began consuming alcohol on October 30, 2012, and continued drinking through the next morning. She related the defendant began an argument with his brother which caused a fight. She then stated the defendant broke her phone and smashed her car window at which time she called local police and had him arrested.

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- 2 **Special Condition #19:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Steven Ernesto Perales consumed alcohol on October 30, and 31, 2012.

On October 31, 2012, Mr. Perales called the undersigned officer from the Yakima County Jail to report he had been arrested. When questioned with regard to illegal drug use or alcohol consumption, the defendant denied using drugs but admitted to drinking alcohol. He related he began drinking alcohol the evening of October 30, 2012, and continued drinking through the next morning. Mr. Perales advised he consumed approximately 18 beers.

- 3 **Special Condition #21:** You shall participate in the home confinement program for 60 days. You shall abide by all the requirements of the program, which will include location monitoring. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities as preapproved by the supervising officer.

Supporting Evidence: Steven Ernesto Perales failed to abide by the home confinement requirements on October 28, 2012.

On October 28, 2012, the defendant left during his curfew at 2:56 a.m. and returned at 4:52 a.m. When questioned about the unauthorized outing, he related he stepped outside the residence to meet with his girlfriend in her vehicle. As a result of the defendant's recent arrest, he was removed from the home confinement program.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on: November 5, 2012

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

November 5, 2012

Date